

be needed for each IXC (the trunking cost would double if a second IXC were introduced, would triple for three IXCs, etc.)

27. Dawson's assumption that bad debt would be eliminated if a debit card or calling card system were mandated is incorrect. (Dawson ¶ 33.) Some inmates will still need or choose to use a collect call and, as pointed out above, even if a debit card option is available, it would trigger additional costs for the IXC and PCS to modify and operate their billing and call administration systems, a point also overlooked by Dawson.

28. Dawson's cost analysis does not include several likely components such as: interest or the cost of capital; training for these more advanced platforms' additional AC/Heat and electrical costs for the higher capacity switches and modified PCS systems; additional trunking and billing links; and additional PBX costs for T-1 cards, cabinet additions, software upgrades and related costs of installation and maintenance.

29. In analyzing the cost of operating the local network, Dawson erroneously starts with the long distance costs, and removes "avoided costs" to arrive at what he believes it would take to run the PCS. (Dawson ¶ 70-73.) In removing avoided costs, he subtracts long distance charges, uncollectibles, and billing and verification. Taking each of these, we find that:

A. It is correct to remove the actual transport charges for long distance but Dawson's model show higher costs associated with termination of local calls, which is often more expensive.

B. Instead of zeroing out the costs of local billing and verification, even Dawson acknowledges that at best debit cards would be used 50 percent of the time, (Dawson ¶ 61) so there will still be PCS costs for billing and verification. It is possible these verification costs

could increase, given what the PCS and IXC will have to do to modify their billing and verification systems to accommodate debit cards.

C. Similarly, since collect calls will still be the means by which a certain number of inmates will place calls, there will continue to be a PCS cost for uncollectibles.

30. Additionally, most local calls are “front loaded” with the majority cost placed on the first minute so Dawson incorrectly averages costs over a 12-minute period, which results in a lower per-minute charge than actually would be incurred. (Dawson ¶ 73)

31. The actual price for equipment is likely to be higher than assumed by Dawson’s proposal. Equipment costs today are very low because of a surplus inventory and low demand for telecommunications network hardware in recent years.

32. The assumed cost of telephone sets fails to take into account that inmate handsets have a shorter than average life. We believe this equipment would have to be replaced more frequently than the 5.5 years assumed in the Dawson proposal. (Dawson ¶ 69, fn. 48.)

33. The cost of maintenance would increase in a system involving multiple IXCs because there will be more trunks, frames, and units to maintain. In addition, there will be additional billing links, an increase on demand for spare parts, and a debit system. With the addition of each carrier, trunk cards would increase proportionately so more would be needed for replacement. As each carrier could not be expected to have the same equipment, the PCS would have to locate and dedicate additional storage space. (Exhibit 3 Slide 3.)

34. The costs to develop system platforms for equal access by multiple IXCs would increase the costs of the underlying PCS, a problem entirely overlooked by Dawson’s proposal. Today, enterprise systems are built to concentrate calls to a single carrier, thus driving down

costs per minutes. Redevelopment work for hardware would have to be undertaken by the PCS itself, yet the proposal includes no cost for such work.


35. As to the new software necessary for the PCS to implement equal access with multiple IXC's, it is not only a cost that is missing from the Dawson proposal, it is purely speculative whether and how software vendors would develop equal access software for enterprise switches whose only market would be prison systems.

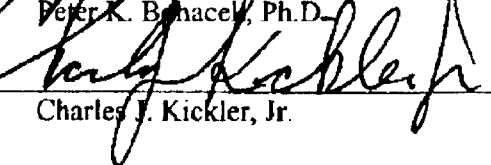
Conclusion:

36. We have carefully examined the Dawson proposal. He hints at many requirements but leaves out necessary functions and capabilities. We have filled these in, and when the resulting system is examined, we have concluded that his proposal cannot be implemented without software and hardware development, deployment of new or modified systems in the networks of all participating IXC's and LEC's, and modification of the underlying PCS. Even if such developments and deployments were undertaken, it would be years before the capabilities would be widely available. If and when such deployment would be available, it would most likely be vulnerable to security problems and fraud because of the multiple entities involved and increased complexity of the network. Finally, Dawson's cost estimates do not properly represent the true costs of implementing or operating his proposed system.

ATTACHMENT A

37. The facts set forth in this Declaration are true and correct based upon our personal knowledge and our information and belief.

By: 
Peter K. Bohacek, Ph.D.

By: 
Charles J. Kickler, Jr.

Date: March 10, 2004

Date: March 10, 2004

ATTACHMENT A

Exhibit 1

PETER K. BOHACEK

I have over forty years of experience in the telecommunications and computing areas, including research, development and other work in switching systems, systems engineering, computerized switches, private branch exchange equipment and Voice over IP (VoIP). I now run my own consulting company with an emphasis on business development and strategy development in telecommunications, networking and Voice over IP (VoIP).

I have held executive level positions with several telecommunications and computer science companies. Before restarting my own consulting company in 2001 (I originally founded my company in 1997), I was Senior Vice President at Clarent Corporation from 1998 to 2001, which focused on Voice over IP technology as used by multinational telecommunications companies such as AT&T, Siemens, Alcatel, BellSouth, and Qwest. From 1994 to 1997, I was Vice President and General Manager, Client Server Telecom Division, at Mitel Corporation, a leading manufacturer of customer operated telecommunications equipment. Between my work at Clarent Corporation and Mitel Corporation, I founded my consulting company specializing in VoIP and telecommunications.

From 1990 to 1994, I was Vice President, International Business Development, for Tandem Computers, which later became known as Compaq and is now owned by Hewlett Packard. At Tandem, I worked on developing intelligent network applications and equipment for telephone companies around the world.

From 1983 to 1990, I worked in various positions and capacities at AT&T Network Systems, which is now part of Lucent Technologies. During this time period, I

became intimately familiar with the relationships between telecommunications, telephone networking and computer information systems.

From 1964 to 1983, I was employed in various positions and capacities at AT&T Bell Laboratories. I was Director, Switching Systems Engineering at the time that I moved on to AT&T Network Systems. During my time at Bell Labs, I was involved in the research and development of many network systems including AT&T's Advanced 800 service in the late 1970's and early 1980's.

From 1974 through 1980, I held the position of Department Head, Toll Switching Systems Engineering. In this capacity, I planned the evolution of the Bell System toll switching and signaling network. I also created the initial plan for AT&T's Intelligent Network and the Advanced 800 service implementation. I also redefined the systems engineering process and created a constructive environment for defining new products, such as the 4ESS digital switch.

I hold a Bachelor's of Engineering degree, a Master's of Engineering degree, and a Ph.D. from Yale University, all in the field of electrical engineering. I also completed the Advanced Market Management Program at the Wharton School of Business. In addition, prior to joining AT&T, I taught graduate and undergraduate courses in electrical engineering at the Massachusetts Institute of Technology as a Ford postdoctoral fellow and assistant professor. I currently teach math courses in pre-calculus and algebra, on a voluntary basis, at Pescadero High School, Pescadero, California.

A partial list of my publications and presentations follows:.

I. Publications by Dr. Peter K. Bohacek (Partial List)

(Several items are conference presentations and may not have been published in the conference records. These are marked with *)

Dr. Peter Bohacek, "AIN Ain't It," Supercomm Conference, Atlanta, June 2001

Dr. Peter Bohacek, "Enterprise VoIP: Hype vs. Reality," iLocus Conference, London Sept 2000

Dr. Peter Bohacek, "VoIP, The Glue That Puts It Together," Voice Conference, Caen, France, Sept 2000

Dr. Peter Bohacek, "PSTN/IP Gateways, Call Agents and iPBXs," VON Conference, June 2000

Dr. Peter Bohacek, "IP Telephony 2000-The Emerging Communications Environment," VON Conference, April 2000

Dr. Peter Bohacek, "Equipment Vendors' View of Service Providers' Needs," VON Conference, February 1999

*Dr. Peter K. Bohacek, "Equipment Vendors' View of Service Providers' Needs," VoIP Retreat, Nice, February 1999

Dr. Peter K. Bohacek, Rob Walters, David Howard, David Mackenzie and Paul Howley, "CTI in Action," John Wiley & Sons Ltd., 1997

*Dr. Peter K. Bohacek, "CTI," Networld and Interop, Las Vegas, 1996

*Dr. Peter K. Bohacek, "MediaPath," CT Expo, Los Angeles, 1996

*Dr. Peter K. Bohacek, "Server Based PBX," Unicom Conference, London, 1996

*Dr. Peter K. Bohacek, "CTI," CATA Conference, Ottawa, 1996

*Dr. Peter K. Bohacek, "Server Based PBX," MTA Conference, Minneapolis, 1996

*Dr. Peter K. Bohacek, "The Full Service Network," IEC Executive Council ComForum, Orlando, 1995

*Dr. Peter K. Bohacek, "Dual Strategy for CTI," MMTA Conference, Chicago, 1995

*Dr. Peter K. Bohacek, "CTI for Call Centers," TBT Conference, Atlanta, 1995

*Dr. Peter K. Bohacek, "MVIP Middleware," CT Expo, Dallas, 1995

*Dr. Peter K. Bohacek, "MVIP Middleware," UNICOM Conference, Washington, 1994

Dr. Peter Bohacek, "The Evolution of the Intelligent Network Architecture," XII Conference of the South East Asia Regional Computer Conference, Hong-Kong, October 1993.

Dr. Peter K. Bohacek and James N. White, "Service Creation: The Real Key to Intelligent Network Revenue," CT Expo, Dallas, March 1993

*Dr. Peter K. Bohacek, "Intelligent Networks, Let's Get On With It," CeBit Conference, Hanover Germany, March 1993

Dr. Peter K. Bohacek, "Intelligent Networks," IT Conference, Hong Kong, October, 1993

Dr. Peter K. Bohacek, "Evolution of the Intelligent Network Architecture," Brazilian Telecommunication Conference, Brasilia, 1992

Dr. Peter K. Bohacek, "Worldwide Intelligent Network Activities," Brazilian Telecommunication Conference, Brasilia, 1992

Dr. Peter K. Bohacek and David G Sanders, "Wireless Communications: The next driver for Intelligent Network Implementation," Brazilian Telecommunication Conference, Brasilia, 1992

P. K. Bohacek, "Surviving Disaster, Guest Editorial," IEEE Communications Magazine, June 1990

Dr. Peter K. Bohacek, "Establishing Standards for Information and Telecommunications Industry," "USA-ROC and ROC-USA Economic Council Business Conference, November 1989

T. Valovic, "An Interview with Peter Bohacek," Telecommunications Magazine, May 1989

*Dr. Peter K. Bohacek, "AT&T's Direction in ISDN," NTT Conference, Toyo, 1989

Dr. Peter K. Bohacek, "A Plan for Network Evolution," AT&T publication for ISS Conference, 1988.

Dr. Peter K. Bohacek, "Taking the Pain out of Progress," Proto Magazine, January 1988

Dr. Peter K. Bohacek and Eli S. Albagli, "Evolution of Intelligent Network," Globecom, 1988

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EXHIBIT 1

Dr. Peter K. Bohacek, P.W. Bayliss and R.G. Carr, "Meeting Customer Needs Through ISDN," ISS'87 AT&T Technical Papers

*Dr. Peter K. Bohacek and Thomas J Herr, "The New Business Opportunities Offered by Universal Information Services," Dataquest Seminar, Monte Carlo, 1987

Dr. Peter K. Bohacek , "AT&T's Direction in ISDN, " Australian ISDN Symposium, April 1987

Dr. Peter K. Bohacek, "ISDN," London ISDN Conference, June 1987

Dr. Peter K. Bohacek, "The Future of ISDN – An Architecture for the 1995 Time Fame," ICC-ISDN Dallas, Sept 1987

*Dr. Peter K. Bohacek, "Universal Information Services," Eastern Communications Forum, April 1986

*Dr. Peter K. Bohacek, "AT&T Network Systems Perspective of ISDN," Yankee Group Seminar, April 1986

P. K. Bohacek and F. B. Tuteur, "Signal Acquisition in Coherent Receiving Systems" IEEE Transactions on Communications Systems, June 1964

P. K. Bohacek and F. B. Tuteur, "Stability of Servomechanisms with Friction and Stiction in the Output Element," IRE Transactions on Automatic Control, May 1961

ATTACHMENT A

Exhibit 2

CHARLES J. KICKLER JR.

I have over thirty four years of experience in the telecommunications arena, focused on development and system installation. My primary work has been in switching systems, systems engineering, private branch exchange (PBX) interfaces, network engineering, traffic engineering and Voice over Internet Protocol (VoIP). I have been a consultant for major corporations such as Samsung, T Mobile, Ranger, ADEX, and Cogent.

I have held engineering and technical positions in several telecommunications companies, most recently as Senior Manager, Engineering, for BroadBand Office / Zephion & Masergy Communications which focused on VoIP technology as used by commercial real estate companies in major metropolitan buildings to maximize telecommunication service offerings to their tenants.

I was Senior Manager and Director of Translations at MFS WorldCom from 1994 through 2000. My responsibilities included running the software network, making switch installations, and managing projects featuring Equal Access, Number Portability, Geographical Portability, Internet access and VoIP inbound services, as well as merging four switching networks. A subset of these networks operated as RealCom and Centex enterprise companies serving industrial parks and buildings with PBXs and Centrex services.

From 1992 through 1994, I worked as network manager for Teleport Communications Group (TCG), one of the first competitive telecommunications companies. There my responsibilities included network management, switch installation

and development of voice telecommunications over cable. Our major development work was for Time Warner providing prison communications systems over cable.

From 1983 through 1991, I served as second and third level technical support in AT&T's Eastern Region where I worked with field operations, engineering and Bell Labs. My main responsibilities were the roll out and support of AT&T's 5 ESS OSPS switches, software and hardware debugging, special services network support as well as technical support for Operator Services.

From 1970 through 1983, I worked for New York Telephone Co. as a Central Office Technician. My responsibilities included maintaining New York City mechanical central offices as well as installation and maintenance of new electronic switching machines 1, 1A and the electronic Traffic Service Position System (TSPS). As technical arm for the engineering department, I was involved with locating and defeating fraud -- for example, Black Box and Blue Box technology.

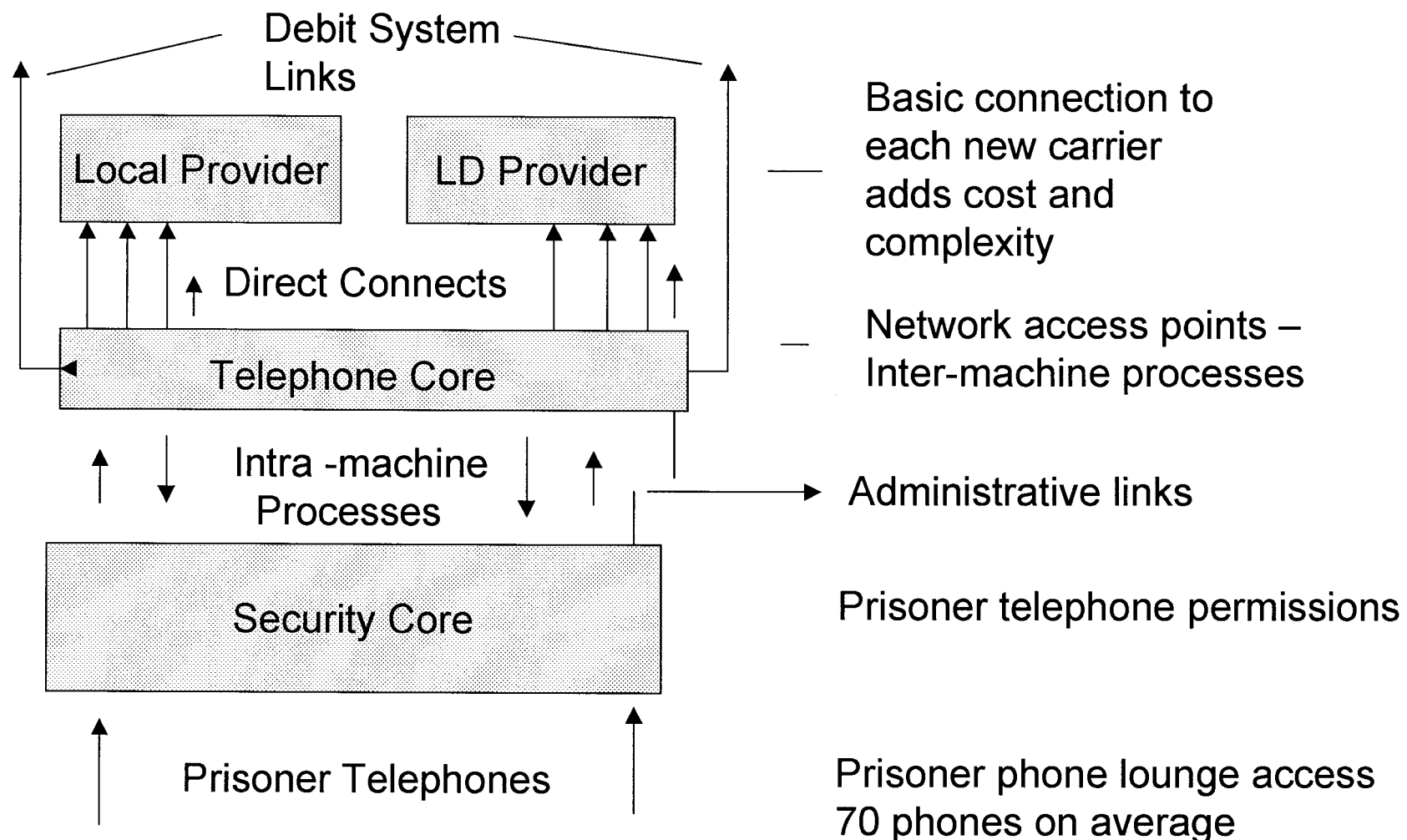
In my various capacities described above, I have worked with the following companies on joint engineering and development partnerships:

Octel	Siemens	Unishpere
Ericsson	Cysco	BroadSoft
Nortel	Sonus	Lucent

ATTACHMENT A

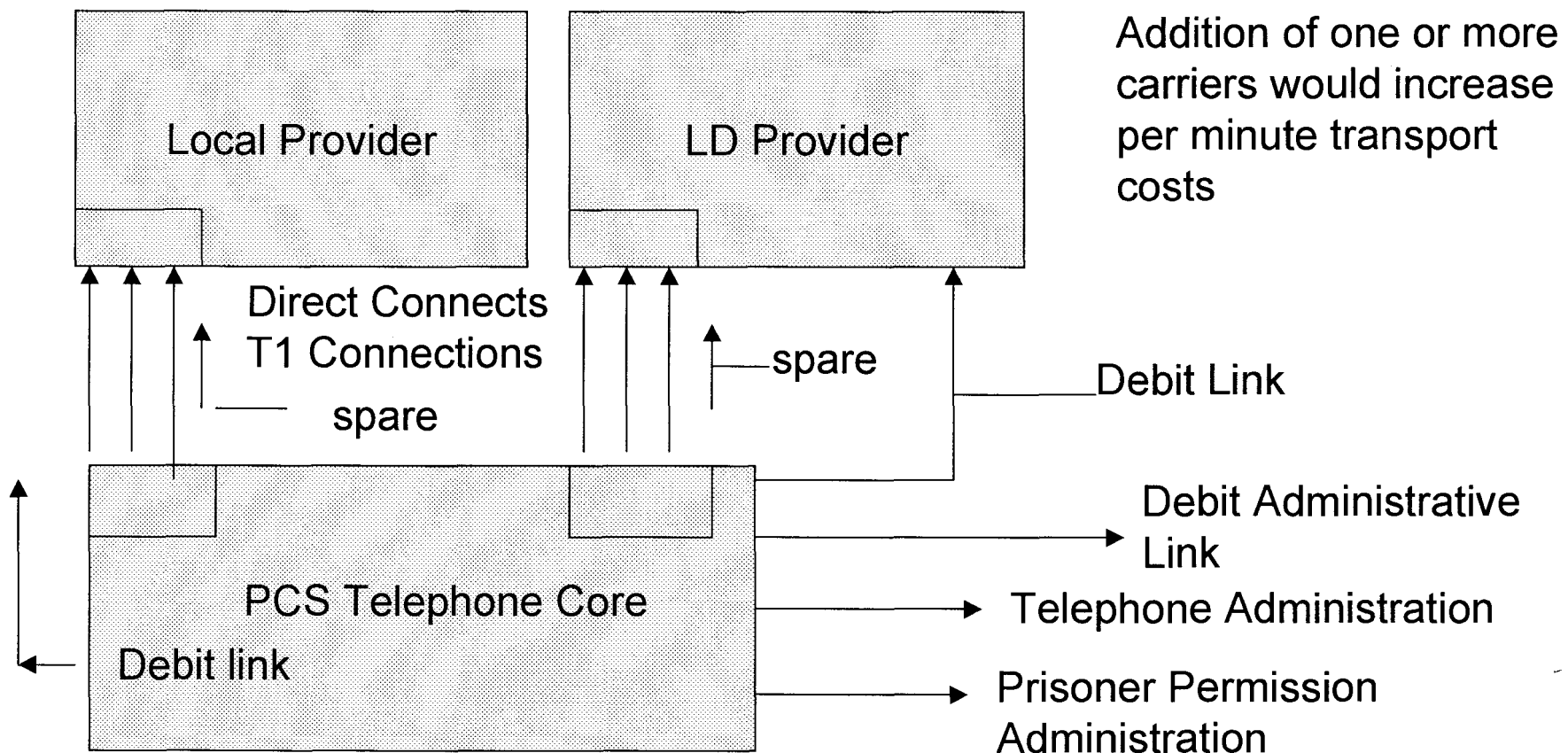
Exhibit 3

Dawson Prison Telephone System Network Debit/Collect Calling View

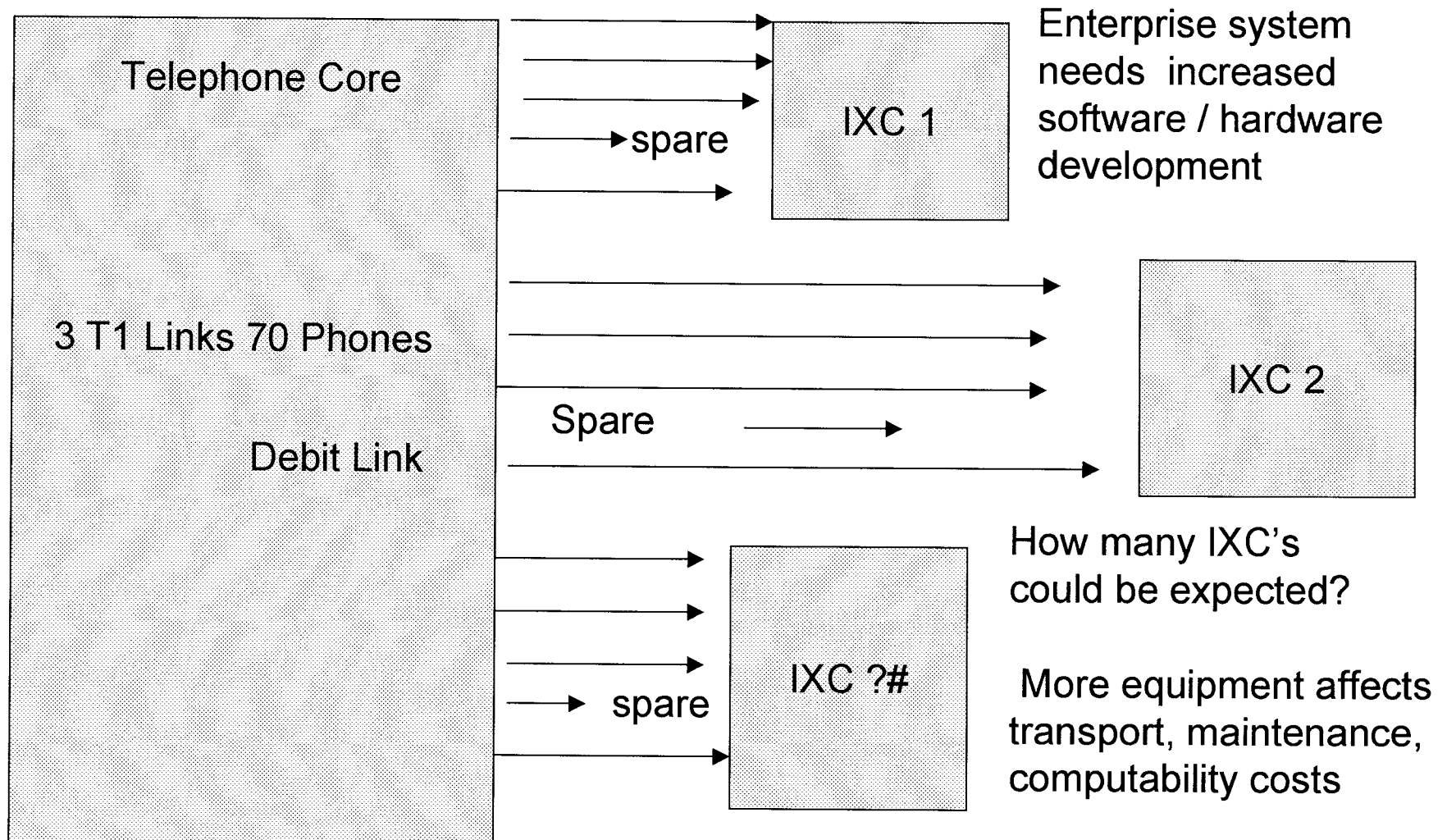


Dawson Multiple IXC Prison System

Minimum configuration resembles today's network

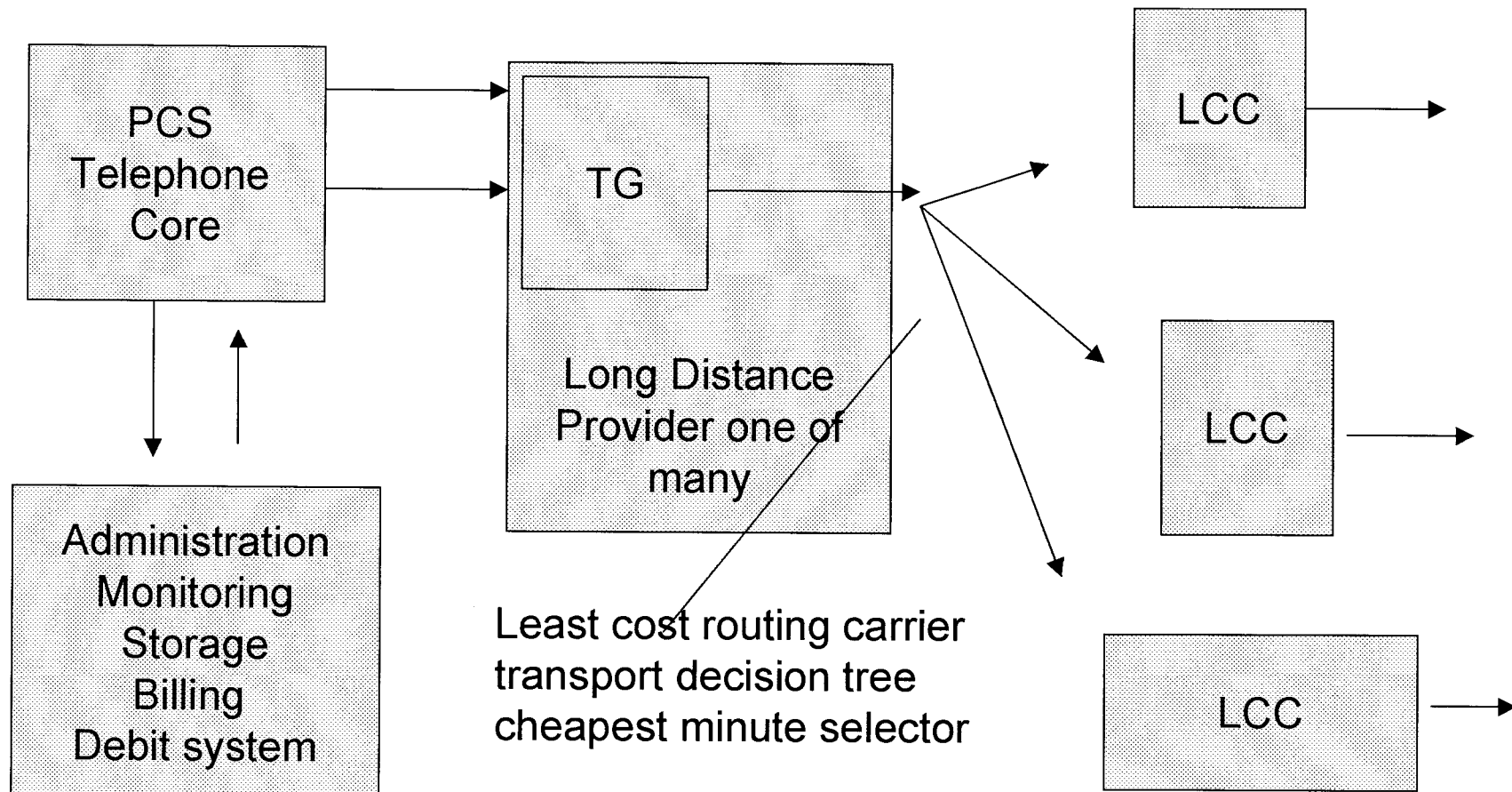


Dawson Multiple IXC Prison System



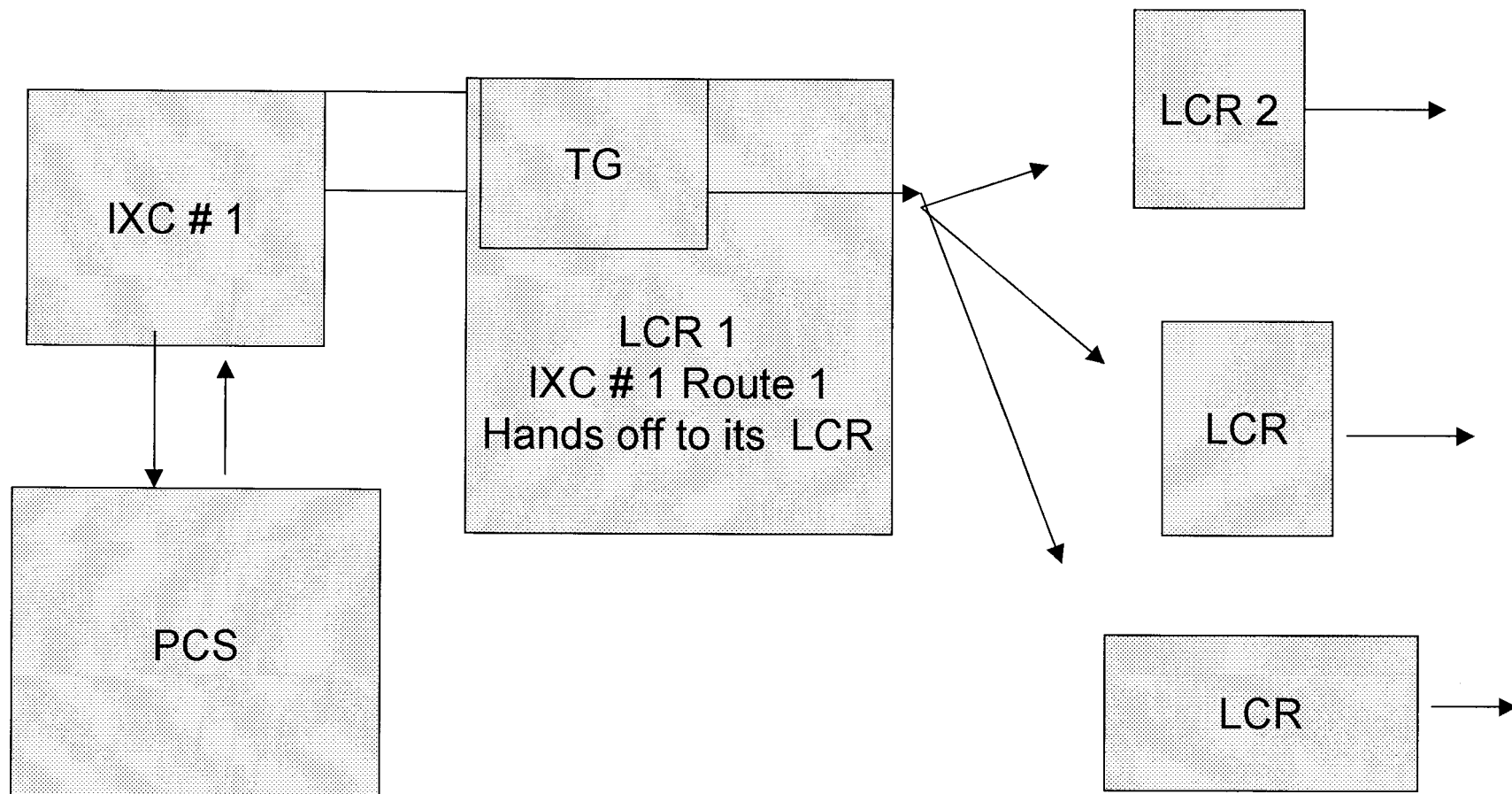
Dawson Multiple IXC Prison System

Once the call enters the competitive IXC it could be least cost routed (LCR)
PCS would not know what network the call was on at any given time
Security of SS7 enhanced network threatened

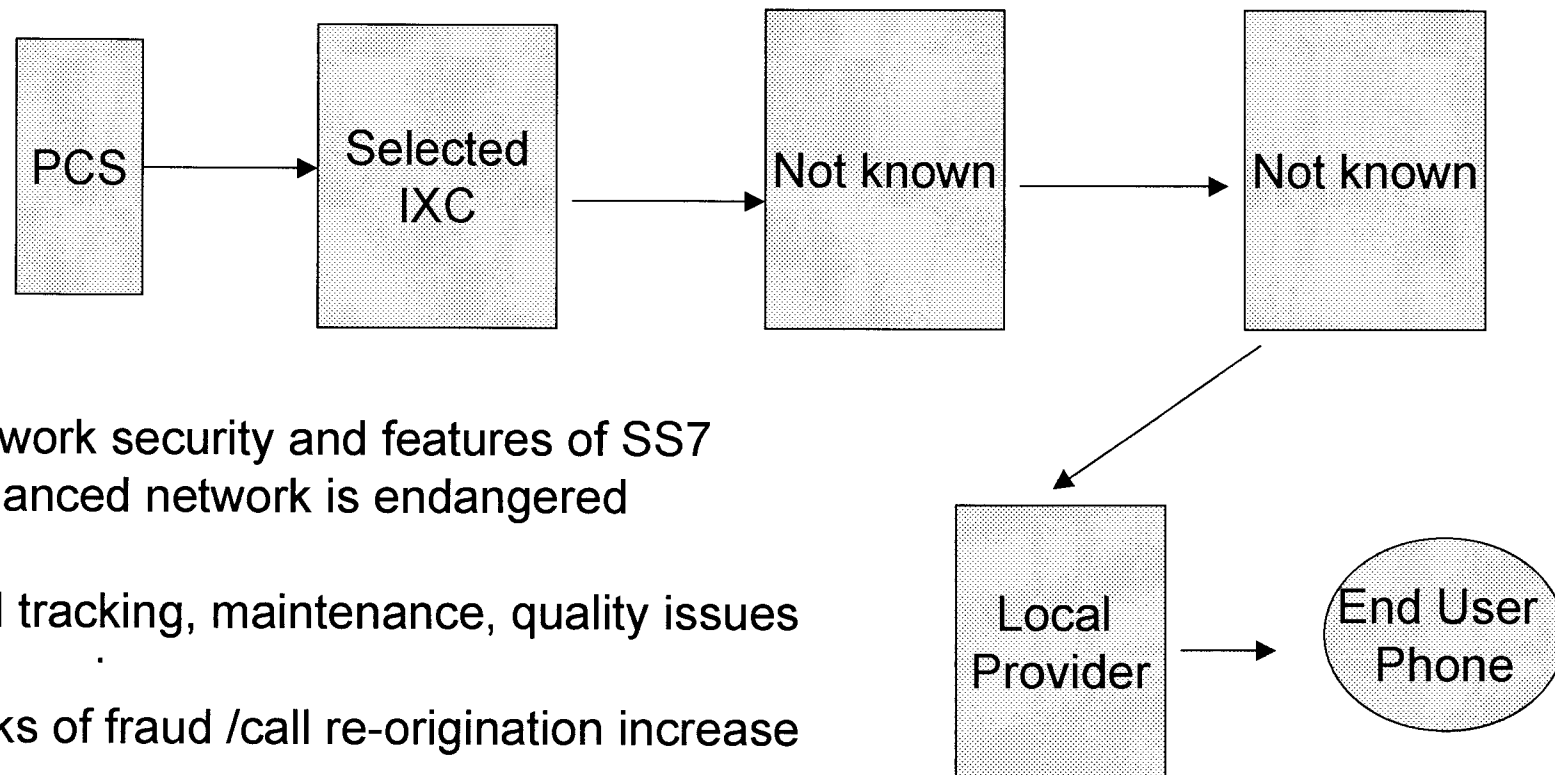


Dawson Multiple IXC Prison System

Allowing for LCR, call tracking becomes monumental.
Quality is affected.
Maintenance trouble reports increase,
Trouble resolution time increases.



Dawson Multiple IXC Prison System



Network security and features of SS7 enhanced network is endangered

Call tracking, maintenance, quality issues

Risks of fraud /call re-origination increase

Possible loss of call records & detail with step off of SS7 network

Dawson Multiple IXC Prison System

